

Testimony on behalf of the  
Office of the Public Defender, State of Hawai'i  
to the House Committee on Judiciary

January 26, 2012

RE: H.B. 556: Relating To Statutes of Limitations.

Chair Keith-Agaran and Members of the Committee:

The stated purpose of H.B. 556 is to enlarge the time period in which felony charges of sexual assault or child abuse of children may be brought.

Currently, for all felony offenses involving children, the charge may be commenced within six years of the alleged offense if it is a class "A" felony and within three years if it is a class "B" or "C" felony **BUT** the time period when the complaining witness (CW) is alive and under the age of 18 does not count against those time periods. So, for a class "A" felony charge, a case may currently be commenced until the CW is 24 years of age, and for class "B" and "C" felonies, may be commenced until the CW is 21 years of age.

For adult CWs, the charge may be commenced within six years of the alleged offense if it is a class "A" felony and within three years if it is a class "B" or "C" felony.

However, in **ALL** cases, there is an additional 10 years in which to bring a criminal charge if DNA evidence was found during the initial six or three year period, OR, in the case of children CWs, was found before the CW turned 24 years of age in class "A" cases, or 21 years of age in class "B" or "C" cases. So, in child complainant cases where DNA was determined to be present, cases could be brought until the CW is 34 years of age, and for class "B" and "C" felonies, may be commenced until the CW is 31 years of age.

As noted, the stated purpose of this bill is to avoid any time limitations for bringing a criminal charge in crimes involving sexual assault and abuse **of children** **"in light of the advancements in DNA technology"**.

However, this bill as written would apply to all cases where sexual assault was alleged, not just those involving children as the complainants. It would also apply to all degrees of sexual assault, not just those in which DNA evidence would be relevant. For example, the offense of Sexual Assault in the Third Degree (HRS 707-732) applies in significant part to allegations of "sexual contact", defined as "touching, other than acts of sexual penetration, of the sexual or other intimate parts of a person". The touching does not have to be of skin, but may be through clothing. Such an act would not involve DNA evidence.

We do not believe that these are reasonable extensions of the statute of limitations for these crimes. What these proposals would do is provide for an inordinately long period of time from when a crime was alleged to have occurred to when a person could be charged and forced to defend against it.

Under this bill, for example, a person of any age could claim that he or she was sexually touched at the age of five. That means that a defendant would be in the position of having to defend against such a charge by going back possible decades to try to recreate records of time cards at one's job, locate residence and educational records, try to track down witnesses, etc. It would be virtually impossible to come up with such records 10 years, 20 years or more years later. A defendant who might have been able to establish that he or she was off-island or in the hospital or living at another address, etc., during the time period in question would be denied the opportunity to present strong exculpatory evidence.

That sort of result from this legislation is unfair. While the sexual assault and exploitation of children is reprehensible, so is the unfounded accusation of an innocent person. We know that both go on in our society. Children may be victimized more than innocent persons are unjustly accused, but that doesn't change the fact that the law needs to balance the protection of both.

This proposed legislation does not strike such a balance. For these reasons, we oppose passage of this legislation.

Thank you for the opportunity to comment on this bill.



PUBLIC TESTIMONY **IN SUPPORT OF HB 556** - RELATING TO STATUTES OF LIMITATIONS

COMMITTEE ON JUDICIARY

DATE: Thursday, January 26, 2012

TIME: 2:00 PM

PLACE: Conference Room 325, State Capitol

Dear Chair and Members of the Committee on Judiciary:

Who would oppose this bill?

I suppose persons guilty of such vile crimes would oppose eliminating the statutes of limitations; or perhaps those with knowledge of such criminal behavior; or perhaps those with some vested interest in avoiding liabilities and potential financial damages. But I can't imagine any decent law-abiding citizen opposing this bill. Can you?

Of course I can imagine the Roman Catholic Church, with its predatory deacons, priests, bishops, and so on up the hierarchy, including the Pope, will oppose this bill, because the Church has much to hide and even more concern with respect to potential financial liability.

As you are all no doubt aware, the Roman Catholic Church in Hawaii was recently secretly investigating allegations of sexual misconduct against Father Marc Alexander, the former Vicar General, when he suddenly and inexplicably abandoned his active ministry to accept an appointment with the Abercrombie Administration. Less than one year later, Father Marc, who remains a fully ordained Catholic priest, suddenly resigned from the state and went into hiding after allegations surfaced outside the Church. And while Father Marc has not yet been formally accused of any crime under Hawaii law, his response to the accusations is highly suspicious.

Of course Father Marc is not the only Catholic priest in Hawaii who has been accused of sexual misconduct, sexual harassment, sex abuse of a minor, rape, or other sex crimes. Many Hawaii clergy have been accused of crimes that would fall under Chapter 707, part V or VI. For a list of publicly accused clergy in Hawaii please see: <http://bishop-accountability.org/member/index.jsp>.

Again I must ask: Who would oppose eliminating the statutes of limitations for sex crimes perpetrated against vulnerable women and children? Who would oppose this bill? The only reasonable answer I can conceive is to suspect that those guilty of such crimes would seek to maintain the *status quo*, which currently allows perpetrators to escape punishment and avoid penalty, further increasing the pain and suffering of victims. Why should our laws continue to protect criminals and harm victims?

I support the immediate passage of HB 556 and urge all other decent citizens to do the same.

Sincerely,

Mitchell Kahle

Testimony for HB556 on 1/26/2012 2:00:00 PM

## Testimony for HB556 on 1/26/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

**Sent:** Wednesday, January 25, 2012 1:41 PM

**To:** JUDtestimony

**Cc:** honoluluprideparade@gmail.com

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Testimony for JUD 1/26/2012 2:00:00 PM HB556

Conference room: 325

Testifier position: Support

Testifier will be present: Yes

Submitted by: Rob Hatch

Organization: Honolulu Pride

E-mail: honoluluprideparade@gmail.com

Submitted on: 1/25/2012

### Comments:

Aloha Chair Keith-Aragan and fellow committee members,

We here at Honolulu Pride ask that you all join us in helping those that have been sexually abused, also known as raped, find justice in this world. This House Bill 557 is an important piece to making justice a reality.

None of us here can think of one good reason not remove the statute of limitations for any felony offense under chapter 707, part V relating to sexual offenses and part VI relating to child abuse. Every organization that has children in their care has an obligation to ensure that those under their watch are fully protected from pedophiles. If they fail in that obligation then they need to pay the price.

Do not allow those that have failed to ensure total protection for the youth that they have in their care a way out. There should be no exemptions for any group, no matter how big or how small. Because rape changes a person and it can ruin lives for adults but for youth it is devastating.

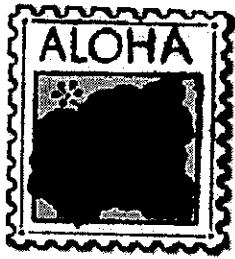
Other states have removed the statute of limitations and Hawai'i needs to follow suit. Keeping a statute of limitation has been a horrible miscarriage of justice that can no longer be accepted by a civilized society.

Mahalo for the opportunity to testify in STRONG SUPPORT of House Bill 557.

Rob Hatch

Legislative Chair

Honolulu Pride



## Holly J. Huber

1519 Nuuanu Ave #154 • Honolulu, Hawaii 96817

(808) 554-7692 • [hollyjhuber@gmail.com](mailto:hollyjhuber@gmail.com)

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**TO:** House Judiciary Committee  
Hearing on January 26<sup>th</sup> in room 325 @ 2 PM

**FROM:** Holly J. Huber

**DATE:** January 25, 2012

**RE:** In support of HB556  
*Removing the Statute of Limitations for Felony Sex Abuse and  
Felony Child Abuse*

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Mahalo nui loa for hearing HB556 and revisiting this important issue.

Ten years ago this month, the BOSTON GLOBE broke the story of widespread sexual abuse of children by Catholic priests and its coverup by the Boston Diocese of the Roman Catholic Church.

This clergy sex abuse scandal wasn't limited to Boston. In the past decade, victims here in Hawaii and all over the world have spoken out and filed lawsuits to force the Catholic Church to address these heinous acts.

Not all child sex abuse is committed by Catholic priests, however the hierarchy of the Catholic Church has been responsible for the systematic coverup of sexual abuse for many, many years.

The Hawaii Catholic Conference and its co-conspirators are lobbying tirelessly to keep the statute of limitations in place, to protect the abusers and deny justice to the victims of child sex abuse. Why? What are they hiding?

Enacting HB556 could make Hawaii the leader in child protection in the US.

Please vote in favor of HB556 and deny a free pass to felons!

Testimony for HB556 on 1/26/2012 2:00:00 PM .

**Testimony for HB556 on 1/26/2012 2:00:00 PM**

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

**Sent:** Tuesday, January 24, 2012 3:18 PM

**To:** JUDtestimony

**Cc:** debrab@financefactors.com

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Testimony for JUD 1/26/2012 2:00:00 PM HB556

Conference room: 325

Testifier position: Support

Testifier will be present: No

Submitted by: Debra Bringman

Organization: Individual

E-mail: debrab@financefactors.com

Submitted on: 1/24/2012

**Comments:**

I am in support of HB 556, in light of DNA testing and the possibility of catching these criminals that slip through the cracks. Our children need to be protected, and criminals that do this type of crime to the most innocent of victims - need to be brought to justice.

Testimony for HB556 on 1/26/2012 2:00:00 PM

**Testimony for HB556 on 1/26/2012 2:00:00 PM**

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

**Sent:** Wednesday, January 25, 2012 3:23 PM

**To:** JUDtestimony

**Cc:** thepoags@usa.net

**Attachments:** In Support of HB 556.docx (15 KB)

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Testimony for JUD 1/26/2012 2:00:00 PM HB556

Conference room: 325

Testifier position: Support

Testifier will be present: No

Submitted by: Derek Poag

Organization: Individual

E-mail: thepoags@usa.net

Submitted on: 1/25/2012

**Comments:**

I fully support HB 556.

In Support of HB 556:

To whom it may concern:

Throughout the civilized world, canonized in the halls of justice, religious dogma, psychological manuals and CPS memos, we codify society's highest priority, the future and safety of our precious children. And specifically the need to protect our children from the often debilitating long term affects of child abuse, sexual and otherwise.

Memorializing our concerns makes us all feel good, contented; 'look, it's written down, surely the judge understands and will lay down the hand of justice to protect the children'. Our clergy, men of god, tell us 'there is a plan, we pray'. "Child Protective Services", the name alone evokes a sense that we have our secular priorities straight, tax dollars are at work to protect the children. So we've done our part we've covered all the angles, we can sleep soundly at night secure with the knowledge that everything is right with the world, our children are safe.

Unfortunately for victims and protective parents, they now all too well that this feel good is an illusion, the reality is much different, and we should not sleep easy, they...do not sleep easy. There is a dirty little loophole, the **statutes of limitations**; time is on the side of the abuser. While this may make sence for other crimes, it makes no sense for these crimes. The insidious long term effects of child abuse often doesn't raise its ugly head until many years after the abuse occurs or ends, it could be several decades. But make no mistake about it, the toll on the children as they move on into adulthood, the toll on society and the actual cost of these vial acts of child abuse are enormous. Our criminal justice and mental health systems are overflowing with the effects of child abuse/neglect; one only need look at the statistics/data and connect the dots.

Particularly disturbing is interfamilial child sexual abuse especially when the abuser lives with the victim. The child is often coerced by the abuser not to speak about the abuse. A disclosure may not occur until the child feels safe from the abuser(s), which could be years, even decades when a divorce occurs or the victim finally moves out, and has an epiphany.

Many abused children become drug addicts/dysfunctional and or criminals. They may be in their 30's or 40's before they disclose the abuse. I was dismissed, when after moving away, I disclosed in early adolescence. I was told don't be silly he's a police officer. I learned to shut up, 15 years would pass, many rough roads would be traveled before I disclosed again and finally came to terms with it.

I learned of 2 other young children who were abused by the same man, one a lifelong alcoholic who drank and drugged his way into virtually every treatment program and hospital on Oahu. He is currently supported by the State of Hawaii in their attempt to keep him out the local hospitals. The other has been in mental health therapy continuously for over 30 years; she doesn't even think about closure anymore.

Our abuser a senior police officer, and has never been brought to justice in part because the **statutes of limitations** ran out. One man, at least 3 victims, a trail of destruction, at what cost?

The statute of limitation should not protect the abuser in these cases.

HB556 to be heard January 26th at 2:00pm in Room 325

**HB556 to be heard January 26th at 2:00pm in Room 325**

Dara Carlin, M.A. [breaking-the-silence@hotmail.com]

**Sent:** Wednesday, January 25, 2012 12:46 PM

**To:** JUDtestimony

**Importance:** High

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TO: Representative Gilbert Keith-Agaran, Chair

Representative Karl Rhoads, Vice Chair

House Judiciary Committee Members

FROM: Dara Carlin, M.A.

Domestic Violence Survivor Advocate

881 Akiu Place

Kailua, HI 96734

DATE: January 26, 2012

Re: **STRONG SUPPORT for HB556**, Relating To Statutes of Limitations

Good Afternoon Representatives and thank you for this opportunity to provide testimony on this very important piece of legislation.

It has been said that "A victim's first cry is for help; a victim's second cry is for justice" but sadly for those who were victimized as children, the breath between cries may either take too long or not come at all because their "time has run out" to do so.

The enormity and severity of child sexual abuse in particular was detailed in an article entitled "Sexual Abuse of Children" from the *American Academy of Experts in Traumatic Stress (AAETS)*. Below are some shocking statistics and insights from the article:

- In the United States **one out of three females and one out of five males have been victims of sexual abuse before the age of 18 years.**
- A report released by the National Institute of Justice in 1997 revealed that of the **22.3 million children between the ages of 12 and 17 years in the United States, 1.8 million were victims of a serious sexual assault/abuse.**
- Evidence suggests that **the negative psychological impact of child sexual abuse persists over time, often into adulthood.**
- It is estimated that approximately **one third of child sexual abuse victims experience PTSD as adult survivors.**
- It is rare for a child to speak directly about sexual abuse.
- **In most cases of sexual abuse, there are no physical indicators of the crime.**
- It is rare to actually have positive medical findings upon medical examination.
- The legal process can be especially intimidating, confusing, and frightening for children. Many aspects of the process (such as providing testimony and multiple interviews) can be overwhelming for children.
- It is estimated that **the average number of interviews a child victim whose case is going through the court system undergoes is eleven.**
- It is often said that during this time, a child can potentially be "re-traumatized." The pre-trial phase can be more distressful for the child than the disclosure phase because the pre-trial phase often involves **ongoing investigation, multiple interviews, and protracted fear of perpetrator retaliation.**

In another article published by the AAETS the often permanent damage left by child sexual abuse was summarized in an article entitled "Sexual Abuse: Surviving The Pain" -

**The effects of early sexual abuse last well into adulthood, affecting relationships, work, family, and life in general.** Individual symptomatology tends to fall into four areas:

1. Damaged goods: Low self-esteem, depression, self-destructiveness (suicide and self-mutilation), guilt, shame, self-blame, constant search for approval and nurturance.
2. Betrayal: Impaired ability to trust, blurred boundaries and role confusion, rage and grief, difficulty forming relationships.
3. Helplessness: Anxiety, fear, tendency towards re-victimization, panic attacks.
4. Isolation: Sense of being different, stigmatized, lack of supports, poor peer relations.

If these are the long-term and lifelong consequences of child sexual abuse, why do we have a statute of limitations imposed upon the victims that ends up benefiting, excusing and pardoning the perpetrator's crimes? As the *NY Coalition to Protect Children* reports:

Most child molesters are not prosecuted in criminal court because their victims are too young and confused to realize they are being harmed by an abuser, and most predators can successfully silence victims through intimidation. By the time the victims are old enough and strong enough to testify in court, the criminal statute of limitations has expired.

By the time a perpetrator is caught or finally reported, the line of victims standing behind the one brave enough to step forward is a long one. In a 10/05/11 story from *KTV4* in Alaska, it was reported that:

According to Anchorage detectives, **a typical child predator has an average of 117 victims before they're caught**. The average age for a child sex offender to commit their first sex offense is just 14 years old, but **most offenders are not caught until they are well into their forties and fifties**.

Similarly, the *NY Coalition to Protect Children* reports that:

On average a sexual predator commits over 300 acts on over 100 children in a lifetime.

HB556 to be heard January 26th at 2:00pm in Room 325

Even more frightening is the statistic that "**85% of child sexual abuse victims know their sexual abusers**" (Oesterreich, L. & Shirer, K. (2001) from Sexual abuse of children: Understanding abuse: National Network for child Care. Online at <http://www.nncc.org/Abuse/sex.abuse.html> - Feb. 5, 2001) which tells us that the sexual abuse predator is NOT some stranger lurking in the bushes but more likely someone whose been invited to a family barbeque. What this also tells us is that because of the relationship between the perpetrator and victim, disclosure of the abuse is more unlikely to be immediate because of the social and/or familial repercussions of doing so.

In a Human Rights petition to the United States Senate, *Child Victims Act* petitioner Senti Sojwal points out that:

Even though one in five of all children will be sexually abused before their eighteenth birthday, the prosecution of this horrendous crime remains too lax in the United States. Right now in many states, the prosecution of child sexual abuse is capped at 23 years old, which is common in much of the country. After surviving such trauma, **many victims are not comfortable coming forth with their claims until they are well into adulthood, at which time the current limitation has often expired.** As a result, sexual predators have a greater opportunity to "run out the clock" while the victim and their family may suffer in silence for years. It is estimated that only 10% of child sexual abuses are reported to the authorities.

This injustice can be corrected with the passage of HB556. Please show your support for the victims of sexual abuse and send the message to the predators, perpetrators and abusers that there is no statute of limitations to the crimes they've committed by supporting this measure.

Thank you most sincerely for your time and consideration.

Respectfully,

Dara Carlin, M.A.

Domestic Violence Survivor Advocate

LATE TESTIMONY for HB556 to be heard THURSDAY, 01/26/12, at 2:00pm in Room 325

**LATE TESTIMONY for HB556 to be heard THURSDAY, 01/26/12, at 2:00pm in Room 325**

Dara Carlin, M.A. [breaking-the-silence@hotmail.com]

**Sent:** Wednesday, January 25, 2012 8:49 PM

**To:** JUDtestimony

**Importance:** High

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**TO:** Representative Gilbert Keith-Agaran, Chair  
Representative Karl Rhoads, Vice Chair  
House Judiciary Committee Members

**FROM:** Adult Survivor of Child Sexual Abuse through proxy Dara Carlin, M.A.  
881 Akiu Place  
Kailua, HI 96734

**DATE:** January 26, 2012

**Re:** Strong Support for **HB556**, Relating To Statutes of Limitations

Honorable Representatives,

I apologize for this by proxy testimony but having the courage to speak the truth is very tough because you fear what the outcome is going to look like. I don't feel strong enough yet to stand before you but do feel strongly enough about this bill to present my testimony if only to send Ms. Carlin forward to be my representative. I'm not HAPPY AT ALL having to hang my dirty laundry out in public like this but this is that important to me and I know other victims would agree...

What happened at Penn State recently is a perfect example of why we need HB556. If you noticed the victims' disclosures about their abuse came out way later, YEARS later, then it actually happened and after one victim stepped forward so did another and another and another.

Child sexual abuse and incest are silent crimes that are HUMILATING, DEGRADING, AND INTIMIDATING for the victims (things that I'm feeling right now as I'm writing this) and it's made all the worse when the abuser is someone from your own family.

I am also angry, enraged really, about the fact that I have to DEFEND why we need this bill that should already exist. Because this bill has not been put into law, my abuser has been able to get away with all he's done to me and he knows he's untouchable! Can you imagine how that feels!?

As a victim I had a mother who didn't care and who lead me to believe (and later told me) that the sexual abuse was my fault. I didn't know if my father knew about it but I feared that speaking up would have ruined his reputation since he was very well known and loved in the community. I also loved my father and didn't want to hurt him with the truth so I accepted and lived with the attitude that "it was my fault". I've struggled my entire life with the consequences of my silence and abuse until the day my abuser moved in next door to me and then suddenly it all came back. It was like a sleeping dragon. I became mad at everything, had nightmares every night and decades after the abuse, I was recommended to psychologists. They tried their best to "change my mindset" that was "conflicting with my reality" but no matter how hard I tried, it wasn't working for me and I only developed more symptoms. The symptoms then became physical and after my father passed, I finally "broke my silence" but doing so cost me my whole family. When I protested my abuser's proximity to me, I was told I have no recourse and this is the anger that's given me the strength to speak out.

I believe we as a community are sending way too many mixed messages as to whether incest and sexual abuse are crimes or not and I there should be some kind of fairness or justice for victims. It's extremely embarrassing to the victim when others don't take this crime SERIOUSLY and it's made worse by judgmental glares and stares, people questioning my sanity when they should be questioning my abuser, and having no recourse for crimes committed against me.

Please don't let what's happened to me happen to any other victim of child sexual abuse. Give victims the option for justice when they're ready to ask for it, don't leave abusers with the power to wag a statute of limitations in a victim's face as they're able to do now.

Testimony for HB556 on 1/26/2012 2:00:00 PM

**Testimony for HB556 on 1/26/2012 2:00:00 PM**

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

**Sent:** Thursday, January 26, 2012 12:15 AM

**To:** JUDtestimony

**Cc:** apbisquera@gmail.com

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Testimony for JUD 1/26/2012 2:00:00 PM HB556

Conference room: 325  
Testifier position: Support  
Testifier will be present: Yes  
Submitted by: Andre Bisquera  
Organization: Individual  
E-mail: apbisquera@gmail.com  
Submitted on: 1/26/2012

**Comments:**

Dear Chair Keith-Agaran, Vice-Chair Rhoads, and Members of the Committee,

As a survivor of childhood sexual abuse, I support the removing of the statute of limitations on felony crimes under Chapter 707, part V and VI. This would allow survivors the chance to bring prosecution against their perpetrators and receive justice for their crimes committed against them. As a survivor, I know it is difficult to speak of the abuse, let alone have the courage to name and prosecute the perpetrator. This bill allows the survivor the chance to have justice served regardless of the years that have passed. Please show your support for child abuse survivors and pass HB556. Thank you.

Andre Bisquera

# **REV. CAROLYN MARTINEZ GOLOJUCH, MSW**

92-954 Makakilo Drive #71 • Makakilo, Hawai`i 96707-1340  
cell: 808 779-9078 • fax: 808 672-6347 • e-mail: gomama808@gmail.com

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January 25, 2012

Re:HB 556 SUPPORT: REPEAL OF STATUTES OF LIMITATION

Dear Chair Keith-Agaran and Members of the Judiciary Committee,

Sexual Assault is a crime and the victims of these crimes need justice that only the repeal of any Statutes of Limitation for these crimes can provide.

The present sexual assaults and child abuse cases are ignored due to the present Statutes of Limitations that release perpetrators from any prosecution or responsibility for their crimes. This is totally unjust for the victims and the rest of society who are at risk of assault from these perpetrators who prey on past victims and those the perpetrators choose to victimize.

These sexual assaults change the lives of the victim regardless of age. For children they rob them of their childhood and for others, they are robbed of their sense of peace, safety and self respect besides allowing the perpetrators to re-victimize and prey on others in the community when they are not prosecuted. This has to stop.

In a civilized society, we respect peace of mind, personal safety and self-respect. Just like in a case of murder, sexual assaults should not have a statute of limitation to prevent prosecution. Sexual assaults/rapes are crimes against our safety, self-respect, and peace of mind. Please ensure that our society receives at least a minimum of protection that supporting HB556 will bring our citizens.

Please pass HB556. Thank you for your support.

Sincerely,

Rev. Carolyn M. Golojuch, MSW  
Native American Spiritualist  
Master Social Worker

Testimony for HB556 on 1/26/2012 2:00:00 PM

## **Testimony for HB556 on 1/26/2012 2:00:00 PM**

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

**Sent:** Thursday, January 26, 2012 1:36 AM

**To:** JUDtestimony

**Cc:** jadamsesq@aol.com

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Testimony for JUD 1/26/2012 2:00:00 PM HB556

Conference room: 325

Testifier position: Support

Testifier will be present: No

Submitted by: Jo-Ann Adams

Organization: Individual

E-mail: jadamsesq@aol.com

Submitted on: 1/26/2012

### Comments:

Historically many convictions were based on oral testimony of witnesses. The statute of limitations was created to protect defendants, because memories fade and persons could be wrongly accused and convicted by witnesses whose memories had faded. With advances in technology, convictions are increasingly based on forensic evidence. It is appropriate to revisit the concept of the statute of limitations in light of new technology, particularly in the case of minors, where their ability to remember and accurately give oral testimony at the time of incident is limited by their immaturity. Particularly in these cases, it is appropriate to lift the statute of limitations and allow the forensic evidence to be entered into evidence when the victim has matured and can better withstand the rigors of trial.

## **WRITTEN TESTIMONY**

**January 26, 2012, 2 P.M., Conference Room 325**

To: House Committee on Judiciary  
Rep. Gilbert S.C. Keith-Agaran, Chair  
Rep. Senator Karl Rhoads, Vice Chair

From: Joseph A. Woodard

Re: Bill # HB556, Relating to the Statute of Limitations; Sexual Assault; Bill Title [such as HB2096 RELATING Child Abuse

In Support

Chairs & Committee Members:

I support HB556 for the following reasons.

For some 30 years I have worked professionally in the child abuse and sexual abuse arena at both the Federal and state levels. I also have served for many years as a volunteer and advocate with various child welfare volunteer/private non-profit child abuse organizations, including in Hawaii.

It is well recognized that in many, many cases victims of abuse and/or child sexual abuse do not come forward /'cry out' until years after the abuse has occurred. It is critical that the victims receive justice and perpetrators are punished, in order to prevent future abuse of more victims.

As a society we cannot allow such travesties to continue due to legal technicalities such as the statute of limitations.

Thank you for the opportunity to submit testimony.

Joseph Woodard  
1515 Nuuanu, #136  
Honolulu, HI 96817

905 Wayland Dr.  
Arlington, TX 76012

[JosephW475@aol.com](mailto:JosephW475@aol.com)

Cellular 817-721-3738

Testimony for HB556 on 1/26/2012 2:00:00 PM

**Testimony for HB556 on 1/26/2012 2:00:00 PM**

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

**Sent:** Thursday, January 26, 2012 7:17 AM

**To:** JUDtestimony

**Cc:** ypeia01@yahoo.com

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Testimony for JUD 1/26/2012 2:00:00 PM HB556

Conference room: 325

Testifier position: Support

Testifier will be present: No

Submitted by: christine johnson

Organization: Individual

E-mail: ypeia01@yahoo.com

Submitted on: 1/26/2012

**Comments:**

Thank you for introducing and supporting this legislation.

Have been involved in helping victims of child abuse and adult and child sexual assault for over 30 years..It has become clear that the STATUES OF LIMITATIONS has become a tool used by perpetrators and their organizations to run out and or escape accountability and responsibility for serious crimes against innocent peoples...

It is past time for perpetrators of these crimes to be stopped and an excellent way to STOP them. NO SOL's says predators will be held accountable period.. christine johnson